

**REMARKS**

Claims 1-10 are pending.

Claims 1-10 are rejected.

Claim 1 is amended. Support for the amendment is found in the specification p.9 li. 29-33, and in other places.

**Rejection of Claims 1-10 under 35 U.S.C. 102(b)**

The Examiner rejected Claims 1-10 under 35 U.S.C. 102(b) as being anticipated by Kou et al. (U.S. Patent Publication No. 2002/0078293A1, hereafter referred to as 'Kou'). Applicant disagrees with this ground of rejection.

In particular claim 1 claims a method comprising the steps of:

- User-activated selection of a user interface for the recording appliance;
- identifying a data source appliance by checking for the existing data connections which have been set up for the data sink or the user interface.
- Automatic set-up of a connection between the data source for which a connection to the data sink appliance or the user-interface appliance has been set up and the recording appliance.

The principles of Claim 1 are used for the quick launch of a record function for a content which is being played-back. (cf. p.4 li 16-19 "*The user often wishes to be able to record what he is currently viewing as a television programme on the display appliance as quickly as possible without any great complication* »). Furthermore, as explained in the specification (p.5 l.9-12) the aim of the claimed invention is "*to make operation more convenient in the network, but also to assist in the implementation of an instant-recording function in addition.*"

On the other hand, Kou focuses on two different operations:

- Allocation of a sufficient bandwidth to a target device cf. [0017]; and
- Choose a suitable output of target device for delivering the digital output [0018].

Kou (US2002/0078293) relates to a method for controlling devices in a Home network. Kou discloses a network of distributed stations comprising a data source appliance (212), a data sink appliance (216) and a recording appliance (VCR).

Kou mainly concerns the concentration of responsibility for establishing a connection on a single dedicated controller. The main goal of Kou is to reduce the workload required by a controller dedicated to control distributed stations (Kou [014]). Then, there is no mention in Kou of the problem of “*instant-recording function*” nor does it suggest that Kou could support an instant recording function as claimed in Claim 1.

To discuss how Claim 1 operates, Applicant will discuss fig 3 within the context of Claim 1. A STB, a DTV, a DVR are connected over a network and the STB is delivering a signal to the DTV.

The claimed method is implemented as followed:

**step 1 of claim 1:** on an user interface a user selects the DVR;

**step 2 of claim 1 :** The only existing connection between said STB and said DTV is checked (or identified) : that means that at this point :”the STB is considered as the data source appliance and the DTV is considered as the data sink appliance”;

**step 3 of claim 1:** a connection is automatically set up between said (checked) source appliance and said DVR acting as a record appliance (even it has got both data source and data sink capabilities).

Hence, claim 1 is triggered by a single user-selection of a recording appliance or by a further record action selection, to set up automatically a new connection between said data source and said selected device which is mandatorily considered as a data recording appliance. (cf. Specification p. 15 “*This order indicates that a new data connection needs to be set up between the set-top box 11 and the digital video recorder 12. »*)

Jumping to the second element of amended Claim 1, Applicant respectfully maintains that the identification of possible connections by Kou is different from the second step of amended claim 1: “identifying a data source appliance by checking for the existing data connections which have been set up for the data sink or the user interface.”

An illustration of this difference is shown by following our example; step 510 of Kou would lead to the following type of connections:

STB as source →DTV as sink then

STB as source → DVR as sink then  
DVR as source → DTV as sink etc

Among the various listed possible connections, one finds the existing connection (STB → DTV) but for the invention, as explained above, the identification of existing connection has mainly the effect of identifying a **data source appliance currently delivering data to a data sink appliance**. Kou does not disclose or suggest anything to reach this effect because from this list of various possible connections one cannot distinguish a (single) data source appliance but two (STB or DVR) and in this particular case the DVR is not delivering anything, so it is not possible to record data output by DVR. Hence, this element of Claim 1 is not disclosed by Kou.

As previously noticed, in step 520 and 530 and in [0070] [0071] Kou discloses successive steps:

- A selection of an output in a source device for allowing to set up a connection (step 520);
- A selection of sink device able to select an input device for sending data to said sink device (step 530);
- Sending command from a control device to target devices connected to the network (step 540).

« [0069] In **step 520** of FIG. 5, with reference also to FIG. 4A, for a selected source device such as VCR 440, output select button 452 is used to select a particular output plug. For example, for a connection over network bus 230, serial bus output plug 420 is selected. Bandwidth for the connection is allocated and an isochronous channel number is assigned. Typically, the bandwidth and channel number are provided by the Isochronous Resource Manager (IRM) in an IEEE 1394 AV/C network. The channel number is stored as a state variable so that it can be queried by sink devices (e.g., TV 430) that want to receive the output.

[0070] In **step 530** of FIG. 5, with reference still to FIG. 4A as well, for a selected sink device such as TV 430, input-select button 451 is used to select a particular input device (source device) such as VCR 440 and a particular input plug.

[0071] In **step 540** of FIG. 5, AV/C controller 450 can be used to send commands (e.g., volume change, play, record, etc.) to the target devices on the network. »

Then, Kou does not disclose an automatic set-up of a connection between the data source for which a connection to the data sink appliance or the user interface

Serial No. 10/583,594

PD030132  
Customer No. 24498

appliance has been set up and the recording appliance, hence this aspect of Claim 1 is not disclosed by Kou.

Therefore, amended claim 1 is new in view of Kou because nothing in the reference discloses or suggests the features of Claim 1.

For the reasons given above for Claim 1 is patentable. Likewise, Claim 6 is patentable for the same reasons given for Claim 1. Dependent Claims 2-5 and Claims 7-10 are patentable as such claims depend on Claims 1 and 6, respectively.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,  
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February 17, 2010